John Maloney **GRAHAM CURTIN** A Professional Association 4 Headquarters Plaza P.O. Box 1991 Morristown, New Jersey 07962-1991 (973) 292-1700 Attorneys for Defendant The Travelers Indemnity Company

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

E.M. SERGEANT PULP & CHEMICAL CO., : Civil Action No. 2:12-cv-1741 (KM) (JBC) INC. AND SERGEANT CHEMICAL

COMPANY,

Hon. Kevin McNulty, U.S.D.J.

Hon. James B. Clark, U.S.M.J.

Plaintiffs,

v.

CONSENT ORDER

THE TRAVELERS INDEMNITY COMPANY: INC. AND COLUMBIA INSURANCE

COMPANY,

Defendants.

THIS MATTER having been opened to the Court upon the joint application of defendant The Travelers Indemnity Company ("Travelers") and plaintiff E.M. Sergeant Pulp & Chemical Company, Inc. ("E.M. Sergeant") for costs and attorneys' fees pursuant to this Court's December 22, 2015 Amended Opinion and Order (Dkt. Nos. 100, 101) whereby this Court directed E.M. Sergeant to "pay the reasonable costs and fees occasioned by the nondisclosure or late disclosure of [E.M. Sergeant's proposed expert Henry] Booth's report"; and the Court having considered the Declaration of John Maloney in support of Travelers second application for costs and attorneys' fees (submitted via email on July 27, 2016), and the parties having

subsequently reached an agreement as to the sum of the fees to be awarded to Travelers through Travelers second application (as set forth in an email dated August 4, 2016); and the Court finding that the fees and costs incurred are reasonable; and for good cause shown;

IT IS on this 26th day of January, 2017,

ORDERED that Travelers is awarded \$10,300.00 in attorneys' fees for Travelers second application, for a total award (inclusive of the sum awarded in the Court's January 26, 2016 Order (Dkt. No. 106)) of \$26,511.75;

In accordance with the Court's December 22, 2015 Amended Opinion and Order (Dkt. Nos. 100, 101), this amount will be taxed and payable at the close of the case.

HONORABLE KEVIN McNULTY

United States District Judge

The undersigned hereby consent to the entry of the foregoing order.

/s/ Daniele Cervino

Daniele Cervino
BEATTIE PADOVANO, LLC
Attorneys for Plaintiff
E.M. Sergeant Pulp & Chemical Company, Inc.

/s/ John Maloney

John Maloney
GRAHAM CURTIN
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The Travelers Indemnity Company